

Remarks

[0001] Herein, the "Action" or "Office Action" refers to the final Office Action dated August 22, 2007.

[0002] Applicant respectfully requests reconsideration and allowance of all pending claims of the application. Claims 1-18 and 20-22 are presently pending. Claims amended herein are 1, 10, and 16. No new matter is added by the amendments to the claims. New claims added herein are none.

[0003] Applicant's amendments and remarks after Final are appropriate under 37 C.F.R. §1.116 because they address the Office's remarks in the Final Action, and thus could not have been presented earlier. In addition, the amendments and remarks should be entered to place the case in better form for appeal.

Substantive Claim Rejections

35 USC § 103 Claim Rejections

[0004] Claims 1-18 and 20-22 are rejected under 35 U.S.C. §103(a) for obviousness over U.S. Patent No. 6,813,690 to Lango et al. (hereinafter, "Lango") in view of U.S. Patent No. 7,203,356 to Gokturk et al. (hereinafter, "Gokturk") (*Office Action*, p.2).

[0005] Applicant respectfully traverses each of the §103 rejections, and requests reconsideration and allowance in light of the comments and

amendments contained herein. Accordingly, Applicant requests that the rejections be withdrawn and that the case be passed along to issuance.

[0006] **Claim 1** as amended, recites a method for communicating object data comprising:

generating a hash value based on object data, wherein the object data includes metadata descriptive of the object data, and wherein the metadata includes a type field indicating an object type which has been previously selected by a user of a local computer to uniquely represent the user during future sessions of instant messaging;

storing the object data at a storage location, wherein the object data at the storage location is represented by an object name having the hash value and a location identifier identifying the storage location; and

returning the object name having the hash value and the location identifier identifying the storage location to the user, the object name enabling the user to access the object data including the object type, such that the object type which has been selected by the user can be used to uniquely represent the user during the future sessions of instant messaging.

[0007] In making out the rejection of this claim, the Office appears to argue that Lango discloses all of the elements of claim 1, except that Lango does not teach or suggest "wherein the object is selected by the user of a local computer to represent the user during instant messaging" (*Office Action*, p.3). The Office then argues that Gukturk cures the deficiencies of Lango by teaching the lacking elements since Gukturk describes using an avatar for instant messaging (*Office Action*, p.3;

Gukturk, see col.11 ln.37 to col.12 ln.24). The Office then asserts that "one of ordinary skill in the art would have found it obvious to modify Lango's invention "wherein the object selected by a user of a local computer to represent the user during instant messaging as per the teachings of Gukturk for the purpose of referencing an object name and saving bandwidth by not having to reference the actual avatar image" (*Office Action*, p.3). Applicant disagrees for a number of reasons presented herein.

[0008] First, Applicant submits that Lango and/or Gukturk do not teach or suggest the combination of features recited in amended claim 1. For example, the Lango-Gukturk combination does not teach or suggest, a method for communicating object data comprising, "generating a hash value based on object data, wherein the object data includes metadata descriptive of the object data, and wherein the metadata includes a type field indicating an object type which has been previously selected by a user of a local computer to uniquely represent the user during future sessions of instant messaging", as recited in claim 1.

[0009] Lango describes techniques for caching media data using content sensitive identifiers (*Lango*, Abstract). Lango describes that the purpose of the described techniques is to enable a caching proxy to unambiguously determine the version of contents of media data cached in the caching proxy for a particular data pointer such that an appropriate version of the media data can be served to a requesting client system in an efficient manner (*Lango*, Abstract).

[0010] The Office cites to column 16 lines 27-50 of Lango as describing "generating a hash value based on object data, wherein the object data includes metadata descriptive of the object data" (*Office Action*, p.3; *Lango* col.16 lns.27-50). However, Lango does not teach or suggest, "generating a hash value based on object data, wherein the object data includes metadata descriptive of the object data, and wherein the metadata includes a type field indicating an object type which has been previously selected by a user of a local computer to uniquely represent the user during future sessions of instant messaging", as recited in claim 1 (Emphasis Added).

[0011] The Office acknowledges that Lango does not teach or suggest "wherein the object is selected by the user of a local computer to represent the user during instant messaging" and cites to Gokturk as curing the deficiencies of Lango (*Office Action*, p.3).

[0012] Gukturk describes an invention related to perception technology, and in particular to techniques for using three-dimensional perception technology to group objects in a scene in an image (*Gukturk*, Field of Invention). With regard to instant messaging, Gukturk describes that providing a real-time feed of user video images can enhance the application, and shows a three-dimensional camera 810 which can be used to capture a user's image in real time (*Gukturk*, col.11 lns.8-15 and Fig.8). As shown in Fig. 8(b) of Gukturk, a portion of the real-time user image (*e.g.*, the face) can be displayed along with the instant messaging text (*Gukturk*, col.11 lns.8-15 and Fig.8).

[0013] Gukturk describes that more comprehensive image processing can be performed on the real-time images captured by the camera to detect facial expressions of the user such as "a happy face, sad face, or puzzled face" (*Gukturk*, col.11 Ins.57-67 and Fig.8). More specifically, Gukturk describes that using the current invention; one can design an instant messaging (IM) application where the user's real-time facial expressions are translated into avatars - which Gukturk describes as "symbols that are typically interspersed with text as a short cut symbol or to spice up text for conveying, say, user emotion" (*e.g.*, ☺ happy, ☹ indifferent, and ☹ sad) (*Gukturk*, col.11 Ins.57-67 and Fig.8). More specifically, Gukturk describes that the camera captures the user's real-time image, and a computer program then analyzes the facial expression of the user and maps the facial expression to an avatar (*e.g.*, ☺ happy, ☹ indifferent, and ☹ sad) which can be interspersed with the text of the instant messaging (*Gukturk*, col.11 ln.61 to col.12 ln.13).

[0014] Applicant submits that although Gukturk describes designing an instant messaging application where the user's real-time facial expressions are translated into avatars (*e.g.*, ☺ happy, ☹ indifferent, and ☹ sad), Gukturk fails to cure the deficiencies of Lango, as Gukturk does not teach or suggest, "generating a hash value based on object data, wherein the object data includes metadata descriptive of the object data, and wherein the metadata includes a type field indicating an object type which has been previously selected by a user of a local computer to uniquely represent the user during future sessions of instant messaging",

as recited in claim 1 (Emphasis Added). At the very least, the avatars of Gukturk have not been previously selected by a user of a local computer to uniquely represent the user during future sessions of instant messaging, but instead the avatars are automatically derived from real-time images of the user's facial expressions during a session of instant messaging, and are inserted into text of the message in order to provide the recipient of the message with an indication of the user's changing emotional states.

[0015] Further, even if the cited references disclosed all of this claim's recited features, which they do not, the Office has nonetheless failed to provide a sufficient motivation to combine Lango with Gukturk. Applicant contends that a person of ordinary skill in that art would not have attempted the combination put forth by the Office, and that the rejection at least in part constitutes nothing more than hindsight, utilizing Applicant's application as a road map for the rejection which the Office makes.

[0016] Accordingly, claim 1 is allowable over the Lango-Gukturk combination for at least these reasons, and Applicant respectfully requests that the §103 rejection be withdrawn.

[0017] **Claims 2-9** are allowable over the Lango-Gukturk combination by virtue of their dependency upon claim 1 (either directly or indirectly). Additionally, some or all of claims 2-9 may also be allowable over the Lango-Gukturk combination for independent reasons.

[0018] **Claim 10** as amended, recites a computer-readable medium having stored thereon computer-executable instructions for performing a method comprising:

receiving a name associated with a user on a remote computer, the name including location data and a hash value uniquely associated with a data object, wherein the data object includes metadata descriptive of the data object, and wherein the metadata includes a type field indicating an object type which has been previously selected by the user to distinctively represent the user during future sessions of instant messaging; and

retrieving the data object from one of a local cache based on the hash value or a location identified by the location data, such that the object type which has been selected by the user can be used to uniquely represent the user during the future sessions of instant messaging.

[0019] In rejecting claim 10, the Office indicates that the claim is rejected for reasons similar to those set forth in the rejection of claim 1 (*Office Action*, p.5). In response, Applicant asserts that amended claim 10 allowable over the Lango-Gukturk combination based on reasoning similar to that discussed above in response to the rejection of claim 1. For the sake of brevity, Applicant has not repeated the arguments.

[0020] Accordingly, claim 10 is allowable over the Lango-Gukturk combination for at least these reasons, and Applicant respectfully requests that the §103 rejection be withdrawn.

[0021] **Claims 11-15** are allowable over the Lango-Gukturk combination by virtue of their dependency upon claim 10 (either directly or indirectly). Additionally, some or all of claims 11-15 may also be allowable over the Lango-Gukturk combination for independent reasons.

[0022] **Claim 16** as amended, recites a system for managing objects representing users in an instant messaging conversation, the system comprising:

a data object, wherein the data object includes metadata descriptive of the data object, and wherein the metadata includes a type field indicating an object type which has been previously selected by a user of a local computer to distinctively represent the user during future sessions of instant messaging, the data object having an object name including a location identifier and a hash value; and

an object store operable to retrieve the data object from a location identified by the location identifier and store the data object in a local cache based on the hash value, such that the object type which has been selected by the user can be used to uniquely represent the user during the future sessions of instant messaging.

[0023] In rejecting claim 16, the Office indicates that the claim is rejected for reasons similar to those set forth in the rejection of claim 1 (*Office Action*, p.5). In response, Applicant asserts that amended claim 16 allowable over the Lango-Gukturk combination based on reasoning similar to that discussed above in response to the rejection of claim 1. For the sake of brevity, Applicant has not repeated the arguments.

[0024] Accordingly, claim 16 is allowable over the Lango-Gukturk combination for at least these reasons, and Applicant respectfully requests that the §103 rejection be withdrawn.

[0025] **Claims 17-18 and 20-22** are allowable over the Lango-Gukturk combination by virtue of their dependency upon claim 16 (either directly or indirectly). Additionally, some or all of claims 17-18 and 20-22 may also be allowable over the Lango-Gukturk combination for independent reasons.

Dependent Claims

[0026] In addition to its own merits, each dependent claim is allowable for the same reasons that its base claim is allowable. Applicant submits that the Office withdraw the rejection of each dependent claim where its base claim is allowable.

Conclusion

[0027] All pending claims are in condition for allowance. Applicant respectfully requests reconsideration and prompt issuance of the application. If any issues remain that prevent issuance of this application, the Office is urged to contact the undersigned attorney before issuing a subsequent Action.

Respectfully Submitted,

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